

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA, :
 :
Plaintiff, :
 :
v. : Criminal Action No. 05-104-JJF
 :
LEONARD J. GARNER, :
 :
Defendant. :

MOTION AND ORDER TO DISMISS

The United States of America, by and through its attorneys, Colm F. Connolly, United States Attorney for the District of Delaware, and Beth Moskow-Schnoll, Assistant United States Attorney for the District of Delaware, hereby moves this Honorable Court to dismiss Counts One, Two, Four, and Five of the Indictment, pursuant to a Memorandum of Plea Agreement.

COLM F. CONNOLLY
United States Attorney

BY:

Beth Moskow-Schnoll
Beth Moskow-Schnoll
Assistant United States Attorney

Dated: October 17, 2006

IT IS SO ORDERED this 17 day of October, 2006.

Joseph J. Farnan, Jr.
HONORABLE JOSEPH J. FARNAN, JR.
United States District Court Judge

